

1 \$35000.DEF

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FILED
DISTRICT COURT OF GUAM
MAR 19 2003
MARY L. M. MORAN
CLERK OF COURT

10

12 IN THE UNITED STATES DISTRICT COURT

13 FOR THE TERRITORY OF GUAM

14 UNITED STATES OF AMERICA,)

CIVIL CASE NO. 02-00026

15 Plaintiff,)

16 vs.)

DEFAULT JUDGMENT

17 \$35,000.00 UNITED STATES
18 CURRENCY,)

19 Defendant.)

20 DEFAULT JUDGMENT

21 WHEREAS, on June 14, 2002, Charles Kirtley, the next of kin of the deceased Michael
22 C. Kirtley, filed with the Drug Enforcement Administration a claim for the defendant \$35,000.00
23 United States Currency. In response to that claim, the United States initiated this judicial
24 proceeding to effect the forfeiture of this res; the Verified Complaint of Forfeiture was filed
25 September 10, 2002;
26
27

ORIGINAL

1 WHEREAS, a copy of the Verified Complaint of Forfeiture and Warrant of Arrest was
2 mailed by the United States Attorney's Office on September 13, 2002, to Charles Kirtley at
3 20853 Yam Street, Orlando, Florida, 32833, which address claimant Kirtley had given the DEA
4 when he initiated his claim. This Complaint and Notice of Arrest were mailed by certified mail,
5 receipt Z 324 846 246;
6

7 WHEREAS, the United States requested the U.S. Postal Service to trace this letter, to
8 ensure that in fact Mr. Kirtley had received it. The results of which trace was faxed to the United
9 States Attorney's Office on January 6, 2003, and indicate that the Verified Complaint and Notice
10 of Arrest were delivered to Charles Kirtley on September 26, 2002, at 14:33, and that he signed
11 for it;
12

13 AND WHEREAS, claimant Charles Kirtley has failed to file a claim as provided by the
14 Supplemental Rules for Certain Admiralty and Maritime Claims, Rule C(6) and 18 United States
15 Code, § 983(a)(4) or an answer as provided by the same rules and statute, in a timely matter as
16 provided therein;
17

18 Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that judgment is
19 entered in favor of plaintiff, United States of America, against claimant Charles Kirtley, thereby
20 denying any claim and interest he has in the said defendant \$35,000.00 in United States Currency
21

22 //

23 //

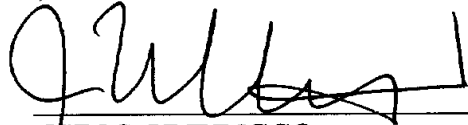
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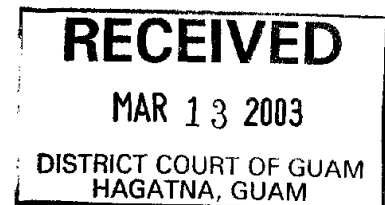
1 and said defendant is hereby forfeited to the United States for disposition in accordance with the
2 law, subject to the provisions of 21 U.S.C. § 853(n)(1);

3 SO ORDERED this 19th day of March, 2003.

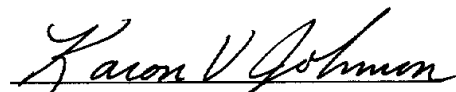
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5 
6 JOHN S. UNPINGCO
7 Chief Judge
8 District Court of Guam

9 Presented by:


10 FREDERICK A. BLACK
11 United States Attorney
12 Districts of Guam and the NMI



13 By:

14 
15 KARON V. JOHNSON
16 Assistant United States Attorney

17 Notice is hereby given that this document was
18 entered on the docket on 3/19/03.
19 No separate notice of entry on the docket will
20 be issued by this Court.

21 Mary L. M. Moran
22 Clerk, District Court of Guam
23 By:  3/19/03
24 Deputy Clerk Date